

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

THORPE NORTH & WESTERN, LLP. 8180 SOUTH 700 EAST, SUITE 200 SANDY UT 84070 **COPY MAILED**

APR 2 3 2007

OFFICE OF PETITIONS

In re Application of

Marietta V. Sperry

Application No. 10/066,392

Filed: January 30, 2002

Attorney Docket No. 01256-14425

ON PETITION

This is a decision on the petition under 37 CFR 1.137(b), filed September 26, 2006, to revive the above-identified application.

The petition is **GRANTED**.

The application became abandoned for failure to reply in a timely manner to the non-final Office action mailed, June 24, 2005, which set a shortened statutory period for reply of three (3) months. No extensions of time under the provisions of 37 CFR 1.136(a) was obtained. Accordingly, the application became abandoned on September 25, 2006.

The petition satisfies the requirements of 37 CFR 1.137(b) in that petitioner has supplied (1) the reply in the form of an amendment; (2) the petition fee of \$750; and (3) an adequate statement of unintentional delay.

Telephone inquiries concerning this decision should be directed to Terri Williams at (571) 272-2991.

The application file is being referred to Technology Center AU 3722 for appropriate action on the concurrently filed amendment.

Liana Walsh

Petitions Examiner Office of Petitions

cc:

Robert R. Mallinckrodt

P.O. Box 1219

Sandy, Utah 84091-1219